

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**GREG PFEIFER, et al.,
Plaintiffs,**

v.

**WAWA, INC., et al.,
Defendants.**

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Civ. No. 16-497

ORDER

On April 9, 2018, the Parties filed a Joint Motion providing that Plaintiffs were withdrawing their request for class certification as to Count IV of their Complaint, and that the Parties agreed that this would not affect certification as to the other claims or the proposed settlement agreement. (Doc. No. 111.) The Parties also noted that—because of the withdrawal—certain proposed documents “would need to be slightly modified.” (*Id.* ¶ 3.) In light of Plaintiffs’ withdrawal of their request to certify Count IV, I will deny without prejudice Plaintiffs’ pending Motions for Class Certification and Preliminary Approval of the Class Action Settlement, and order Plaintiffs to refile accordingly. (*See* Doc. Nos. 106, 107.)

AND NOW, this 12th day of April, 2018, upon consideration of Plaintiffs’ Motion for Class Certification (Doc. No. 106), Motion for Preliminary Approval of Class Action Settlement (Doc. No. 107), and the Parties’ Joint Motion (Doc. No. 111) for Clarification, it is hereby **ORDERED** that Plaintiffs’ Motions for Class Certification (Doc. No. 106) and Preliminary Approval of Class Action Settlement (Doc. No. 107) are **DENIED without prejudice**. Plaintiffs shall **REFILE** their Motions **no later than April 19, 2018**. Plaintiffs shall also **PROVIDE** the Court with one copy of their Motions in a tabbed, three-ring binder.

AND IT IS SO ORDERED.

/s/ Paul S. Diamond

Paul S. Diamond, J.